

REMARKS

Claims 18-22, 24, 25, and 27-40 are now pending in the application. Claims 18-21, 25, 31-32 and 35 are amended therein. Claims 1-17, 23 and 26 were previously cancelled. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

CLAIM OBJECTIONS

Claims 19-21, 31-32 and 35 are objected to for various informalities. Accordingly, Applicants have amended claims 19-21, 31-32 and 35 as recommended by the Examiner thereby rendering the objections moot. Reconsideration is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 18, 20-22, 24-25, 27-28 and 36-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968) and further in view of Pacagli et al (EP 0089029).

In this regard, the Examiner notes that MacKay teaches a method for the preparation of material having a leather-like surface, comprising the steps of: applying a pulp comprising leather fibers, suspending agents, binders and optional additives, to the porous surface of a vacuum tool; applying a vacuum in the vacuum tool to deposit pulp to a desired layer thickness along the porous surface; and transferring the material to a press tool and applying pressure to remove moisture and densify it. The Examiner goes on to note that MacKay does not teach pulp containing leather fibers in an amount of from

0.1 to 10% by weight and a majority of the fibers have a length of from 0.2 to 3 mm. However, the Examiner suggests that Pacagli et al teaches that a pulp is employed which contains leather fibers of a length less than 0.25 in (pg 11, ln 11, notes 0.25 in = 6.35 mm).

Applicant notes that a teaching of fibers having a diameter of "less than 6.35 mm" cannot fairly be interpreted as teaching a majority of fiber lengths in the range of 0.2 to 3 mm. According to Pacagli et al, fibers are passed through a ¼ in mesh screen. Thus, the fibers of Pacagli et al have a diameter of less than a ¼ inch but a length dimension is unknown. Clearly, fibers of significantly greater length than 3 mm could pass through such a screen provided that the fiber diameters were small enough. Since Pacagli et al does not teach the requirement of a majority of fibers of less than 3 mm in length, nor recognize the importance of providing fibers of less than 3 mm in length to carry out the presently claimed invention, reconsideration is respectfully requested.

Claim 19 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968), further in view of Pacagli et al (EP 0089029), and further in view of Dimiter (US Pat. No. 4,287,252). In this rejection, the Examiner notes that Dimiter teaches reconstituted leather which is “profiled”; that is, a leather web that is buffed on both sides.

This rejection is respectfully traversed.

Applicant notes that the “buffing” taught by Dimiter is not “profiling” as required under the present claim. “Buffing” is the process of removing abrasions from a leather web such as suede or nubuc type leather. In other words, buffing leather is the removal of bumps and other unevenness from the leather surface. In contrast, profiling is a process by which the unevenness of the leather surface is enhanced. Thus, profiling results in the opposite effect as buffing.

Reconsideration of the foregoing rejection is respectfully requested.

Claims 31-33 and 38-40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968) and further in view of Barash (US Pat. No. 3,542,910).

Applicant submits that the rejection of claims 31-33 and 38-40 have been rendered moot in view of the arguments presented above with regard to Claim 18. That is, since Claims 31-33 and 38-40 ultimately depend from Claim 18, they too should now be in a condition for allowance.

Reconsideration is respectfully requested.

Claim 34 also stands rejected under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968) in view of Pacagli et al (EP 0089029), and further in view of Sato (US Pat. No. 4,919,189). Again, Applicant submits that that the rejection of claim 34 has been rendered moot in view of the arguments presented above with regard to Claim 18. That is, since Claim 34 ultimately depends from Claim 18, it too should now be in a condition for allowance.

Reconsideration is respectfully requested.

Claim 35 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968) in view of Pacagli et al (EP 0089029), and further in view of Purser (US Pat. No. 5,232,643). Again, Applicant submits that that the rejection of claim 35 has been rendered moot in view of the arguments presented above with regard to Claim 18. That is, since Claim 35 ultimately depends from Claim 18, it too should now be in a condition for allowance.

Reconsideration is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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